

SNELL & WILMER L.L.P.  
Alan L. Sullivan (3152)  
Todd M. Shaughnessy (6651)  
Amy F. Sorenson (8947)  
15 West South Temple, Suite 1200  
Salt Lake City, Utah 84101-1004  
Telephone: (801) 257-1900  
Facsimile: (801) 257-1800

CRAVATH, SWAINE & MOORE LLP  
Evan R. Chesler (admitted pro hac vice)  
David R. Marriott (7572)  
Worldwide Plaza  
825 Eighth Avenue  
New York, New York 10019  
Telephone: (212) 474-1000  
Facsimile: (212) 474-3700

*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Defendant/Counterclaim-Plaintiff.

**NOTICE OF CONVENTIONAL FILING  
OF IBM'S MEMORANDA IN SUPPORT  
OF MOTIONS FOR SUMMARY  
JUDGMENT AND DECLARATION OF  
TODD M. SHAUGHNESSY**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Please take notice that Defendant/Counterclaim-Plaintiff International Business Machines Corporation (“IBM”) has conventionally filed the original and two copies of the following documents, papers or other materials:

1. IBM’s Memorandum in Support of its Motion for Summary Judgment on SCO’s Contract Claims (SCO’s First, Second, Third and Fourth Causes of Action).
2. IBM’s Memorandum in Support of its Motion for Summary Judgment on SCO’s Copyright Claim (SCO’s Fifth Cause of Action).
3. IBM’s Memorandum in Support of its Motion for Summary Judgment on SCO’s Unfair Competition Claim (SCO’s Sixth Cause of Action).
4. IBM’s Memorandum in Support of its Motion for Summary Judgment on SCO’s Interference Claims (SCO’s Seventh, Eighth and Ninth Causes of Action).
5. IBM’s Memorandum in Support of its Motion for Summary Judgment on its Claim for Copyright Infringement (IBM’s Eighth Counterclaim).
6. IBM’s Memorandum in Support of its Motion for Summary Judgment on its Claim for Declaratory Judgment of Non-Infringement (IBM’s Tenth Counterclaim).
7. The Declaration of Todd M. Shaughnessy appending Exhibit Nos. 1 through 597 in support of the foregoing.

These documents, papers or other materials have not been filed electronically because they have been filed under seal pursuant to the Court’s September 16, 2003 Protective Order, Docket No. 38, and because the electronic file size of the materials exceeds 2 megabytes.

These documents have been conventionally served on all parties.

DATED this 25th day of September, 2006.

SNELL & WILMER L.L.P.

/s/ Amy F. Sorenson

Alan L. Sullivan

Todd M. Shaughnessy

Amy F. Sorenson

CRAVATH, SWAINE & MOORE LLP

Evan R. Chesler

David R. Marriott

*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

Of Counsel:

INTERNATIONAL BUSINESS MACHINES CORPORATION

Alec S. Berman

1133 Westchester Avenue

White Plains, New York 10604

(914) 642-3000

*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of September, 2006, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

Brent O. Hatch  
Mark F. James  
HATCH, JAMES & DODGE, P.C.  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101

Stephen N. Zack  
Mark J. Heise  
BOIES, SCHILLER & FLEXNER LLP  
100 Southeast Second Street, Suite 2800  
Miami, Florida 33131

and by U.S. Mail, postage pre-paid to:

Robert Silver  
Edward Normand  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504

/s/ Amy F. Sorenson